

REMARKS

The Examiner's indication of allowable subject matter of claim 3 is noted with appreciation.

Claims 1-20 are pending in the application. Claims 1-2 and 4-5 have been amended to correct obvious typographical errors and improve claim language. Claims 6-20 have been added to provide Applicants with the scope of protection to which they are believed entitled. Fig. 1 has been amended and new figures 5-6 have been added. The specification has been revised to remove the informalities noted by the Examiner and to provide a brief description of and references to newly added Figs. 5-6. No new matter has been introduced through the foregoing amendments.

The objection to Fig. 1 is believed overcome in view of the above amendments.

The objection to the drawings for failing to show the originally claimed feature of "progressively increasing density" is moot as the feature is no longer recited in the claims. In particular, the claims now recite a first fibrous assembly sub-panel having a fiber density increasing toward a second fibrous assembly sub-panel which has a fiber density higher than that of said first fibrous assembly sub-panel. This feature is shown in new Fig. 6 and finds solid support in the original specification, page 8 line 17 through page 10, line 16. Withdrawal of this drawing objection is believed appropriate and therefore courteously solicited.

The specification has been revised to overcome the objection raised in paragraph 3 of the Office Action.

The objection to the specification manifested in paragraph 4 of the Office Action is believed overcome in view of the above amendments. More particularly, the revised specification and amended claims now clearly specify that

(i) the first fibrous assembly sub-panel has a fiber density increasing toward the second fibrous assembly sub-panel;

- (ii) the flat portion has a fiber density lower than the wall portions and the protuberant portions; and
- (iii) each of the wall portions connects one pair of adjacent protuberant portions (Fig. 5 has been added to particularly show this feature).

The claim objection and 35 U.S.C. 112, *second paragraph* rejection are believed overcome in view of the above amendments.

The 35 U.S.C. 103(a) rejection of claims 1-2 and 4-5 as being obvious over *Harwood* (U.S. Patent No. 3,046,986) in view of *Hseih* (U.S. Patent No. 5,545,155) is believed overcome in view of the above amendments. In particular, amended claim 1 now requires that **said second fibrous assembly sub-panel have a fiber density higher than that of said first fibrous assembly sub-panel**. The applied references fail to teach or suggest the invention of amended claim 1 because the relevant element of *Harwood*, i.e., layers 18/20/24/25/28, does not satisfy the above-highlighted claim requirement. The fact that layers 18/20/24/25/28 appear to be thicker and have more fibers than first layer 16 does not necessarily mean that the fiber density of layers 18/20/24/25/28 is higher than first layer 16.

The applied references also fail to teach or suggest the amended claim feature that **the first fibrous assembly sub-panel has a fiber density increasing toward the second fibrous assembly sub-panel**. *Harwood* shows the opposite structure. As described in column 3, lines 30-34 of *Harwood*, the fiber density in regions 40 near the tips (lower ends in Fig. 2) of cup-like portions 34 is less than the fiber density in marginal regions 38 (Fig. 3) of depressions 32. Because regions 40 are closer to the second layer 18 than marginal regions 38, the first layer 16 actually has a fiber density that decreases (from regions 38 to regions 40) toward second layer 18.

For the reasons advanced above, Applicants respectfully submit that amended claim 1 is patentable over the applied art of record.

Claims 2 and 4-5 depend from claim 1, and are considered patentable at least for the reason advanced with respect to amended claim 1. Claims 2 and 4-5 are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art. For example, as to claim 2, the applied art of record clearly fails to disclose, teach or suggest the claimed **wall portions**. See, e.g., Fig. 4 of *Harwood*.

New independent claim 6 is patentable over the applied art of record because the art fails to disclose, teach or suggest that **said second fibrous assembly sub-panel have a fiber density higher than that of said first fibrous assembly sub-panel**, as argued with respect to claim 1.

Claims 7-15 depend from claim 6, and are considered patentable at least for the reason advanced with respect to claim 6. Claims 7-15 are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art.

For example, as to claim 7, the applied art of record clearly fails to disclose, teach or suggest the claimed **wall portions** as well as the claimed **fiber densities**.

As to claim 8, the applied art of record clearly fails to disclose, teach or suggest that the first fibrous assembly sub-panel has a surface which faces the topsheet and which is **generally flat throughout an entire area thereof**. In *Harwood*, well-like structures 32 are formed on the surface facing the topsheet. See Fig. 3 of *Harwood*.

As to claims 9 and 12, the applied art of record clearly fails to disclose, teach or suggest that **a fiber density of said protuberant portions is higher than that of said base portion and lower than the fiber density of said second fibrous assembly sub-panel**.

As to claims 10 and 14, the applied art of record clearly fails to disclose, teach or suggest that **a fiber density of said wall portions is higher than that of said base portion and lower**

than the fiber density of said second fibrous assembly sub-panel.

As to claim 11, the applied art of record clearly fails to disclose, teach or suggest that the opposite surface of said base portion includes a plurality of **disconnected areas each being completely surrounded by a number of said protuberant portions and said wall portions.** See Fig. 5 of the instant application and Fig. 4 of *Harwood*.

As to claim 13, the applied art of record clearly fails to disclose, teach or suggest the claimed fiber densities which are recited in allowable claim 3.

As to claim 15, the applied art of record clearly fails to disclose, teach or suggest that said second fibrous assembly sub-panel contacts said first fibrous assembly sub-panel **only at lower ends of said protuberant portions.** See page 18, lines 1-5 of the specification, and interface 42 in Fig. 2 of *Harwood*.

New independent claim 16 is patentable over the applied art of record because the art fails to disclose, teach or suggest the limitation being argued with respect to claim 6. The applied references, especially *Harwood*, also fail to teach or suggest that a second, opposite side of said base portion, including regions corresponding to said protuberances, is **generally flat.** Note, again, well-like structures 32 of *Harwood*.

As to claim 17, the applied art of record clearly fails to disclose, teach or suggest that a **fiber density of said protuberances is higher than that of said base portion and lower than the fiber density of said second fibrous assembly sub-panel.**

As to claim 18, the applied art of record clearly fails to disclose, teach or suggest that a **fiber density of said wall portions is higher than that of said base portion and lower than the fiber density of said second fibrous assembly sub-panel.**

As to claim 19, the applied art of record clearly fails to disclose, teach or suggest the claimed fiber densities which are recited in allowable claim 3.

As to claim 20, the applied art of record clearly fails to disclose, teach or suggest that the first side of said base portion includes a plurality of **disconnected areas each being completely surrounded by a number of said protuberances and said wall portions**. Note, again, Fig. 4 of *Harwood*.

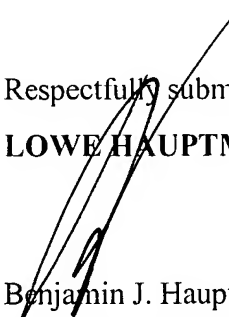
Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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